

1 THOMAS E. FRANKOVICH (State Bar #074414)  
2 THOMAS E. FRANKOVICH  
3 A PROFESSIONAL LAW CORPORATION  
4 4328 Redwood Hwy, Suite 300  
5 San Rafael, CA 94903  
6 Telephone: 415/674-8600  
7 Facsimile: 415/674-9900

5 | Attorneys for Plaintiff CRAIG YATES

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

9 CRAIG YATES, an individual, )  
10 Plaintiff, )  
11 v. )  
12 GALU REALTY, a California General )  
13 Partnership; PHILIP A. GALU, an )  
14 individual; and DOMINIC T. GALU, an )  
15 individual, )  
16 Defendants )  
17 )

The parties, by and through their respective counsel, stipulate to dismissal of this action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the Settlement Agreement and General Release (“Agreement”) herein, each party is to bear its own costs and attorneys’ fees. The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

26 ///  
27 ///  
28 //

STIPULATION OF DISMISSAL AND [PROPOSED] ORDER THEREON

CASE NO. CV-10-3996-JL

1 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through  
2 their designated counsel that the above-captioned action be and hereby is dismissed with prejudice  
3 pursuant to Federal Rules of Civil Procedure section 41(a)(1).

4 This stipulation may be executed in counterparts, all of which together shall constitute one  
5 original document.

6  
7 Dated: \_\_\_\_\_, 2011

THOMAS E. FRANKOVICH  
*A PROFESSIONAL LAW CORPORATION*

9 By: \_\_\_\_\_  
10 Thomas E. Frankovich  
11 Attorney for Plaintiff CRAIG YATES, an individual

12 Dated: 19 July, 2011

Fried & Williams LLP  
Attorneys at Law

13 By:   
14 Alana Grice Connor

15 Attorneys for GALU REALTY, a California General  
16 Partnership; PHILIP A. GALU, an individual; and  
17 DOMINIC T GALU, an individual

18  
19 ORDER

20 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to  
21 Fed.R.Civ.P.41(a)(1) IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the  
22 purpose of enforcing the parties' Settlement Agreement and General Release should such  
23 enforcement be necessary.

24  
25 Dated: \_\_\_\_\_, 2011

26 Honorable Judge James Larson  
27 UNITED STATE DISTRICT JUDGE

28 STIPULATION OF DISMISSAL AND (PROPOSED) ORDER THEREON      CASE NO. CV-10-3996-JL

1 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through  
2 their designated counsel that the above-captioned action be and hereby is dismissed with prejudice  
3 pursuant to Federal Rules of Civil Procedure section 41(a)(1).

4 This stipulation may be executed in counterparts, all of which together shall constitute one  
5 original document.

7 Dated: July 19, 2011

6  
8 THOMAS E. FRANKOVICH  
*A PROFESSIONAL LAW CORPORATION*

9 By: /s/Thomas E. Frankovich

10 Thomas E. Frankovich  
Attorney for Plaintiff CRAIG YATES, an individual

12 Dated: \_\_\_\_\_, 2011

13 Fried & Williams LLP  
Attorneys at Law

14 By: \_\_\_\_\_

15 **Alana Grice Conner**  
16 Attorneys for GALU REALTY, a California General  
17 Partnership; PHILIP A. GALU, an individual; and  
DOMINIC T. GALU, an individual

19 **ORDER**

20 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to  
21 Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the  
22 purpose of enforcing the parties' Settlement Agreement and General Release should such  
23 enforcement be necessary.

25 Dated: July 26, 2011

26   
27 Honorable Judge James Larson  
28 JACQUELINE SCOTT CORLEY  
UNITED STATE DISTRICT JUDGE